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Security Council

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Letter dated 3 November 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to article 13 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the Statute, for the remainder of the term of office concerned."

In this connection, I should like to inform you that Judge David Hunt, a national of Australia, has resigned as a permanent judge of the Tribunal, effective 16 November 2003.

The Government of Australia has presented the candidacy of Kevin Horace Parker, a national of Australia, to replace Judge Hunt. Please find attached his curriculum vitae (see annex).*

It is my view that Mr. Parker meets the qualifications which are prescribed in article 13 of the Tribunal's statute. I also consider that Mr. Parker's appointment would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in article 13 bis (1) (*c*) of the Tribunal's statute.

I should, therefore, like to proceed to consultation with you on the appointment of Mr. Parker, in accordance with article 13 bis, paragraph 2, of the Tribunal's statute. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

* The annex is being circulated in the language of submission only.

03-61350 (E) 141103

Annex

THE HON JUSTICE KEVIN HORACE PARKER AO RFD

Born Kalgoorlie, WA, 6 February 1937
Educated at The Perth Modern School and the University of Western Australia (LLB 1959)
Admitted as a Legal Practitioner 1960
Appointed as Queen's Counsel 1977
Judge of the Supreme Court of Western Australia since 1994

Senior Assistant Crown Prosecutor for Western Australia 1967 – 1971
Chief Crown Prosecutor for Western Australia 1972 – 1974
Solicitor General of Western Australia 1979 – 1994

Member, Council of the Law Society of WA 1972 – 1979
Member, Barristers Board of WA 1977 – 1979
Chairman, Barristers Board of WA 1979 – 1992
Chairman, Legal Practitioners' Disciplinary Tribunal of WA 1992 – 1995
Member, Council of the Australian Institute of Judicial Administration 1982 – 1988
Member, Law Admissions Consultation Committee 1983 – current

Defence Force, Reserve

Served as an officer in the Citizen Air Force and Specialist Reserve 1959 – 1997 reaching rank of Air Commodore
Reserve Legal Panel 1966 – 1977
Judge Advocate 1977 – 1985
Reviewing Judge Advocate 1985 – 1997

Hon ADC (air) to Governor of Western Australia 1965 – 1970
Hon ADC (Air) to Her Majesty the Queen 1979 – 1981

UN and International Activities

Legal Adviser and States' Representative, Australian Delegation to United Nations Commission on the Law of the Sea (UNCLOS)
New York, 1982
Kingston, Jamaica, 1988
New York, 1988

Member, Australian Delegation to United Nations Commission on International Trade Law (UNCITRAL)
Vienna, 1992

Member, Australian Negotiating Party re Maritime Boundaries of Australia and Indonesia 1982 – 1995

Decoration

Appointed an Officer of The Order of Australia, 1989
Principally in recognition of role in connection with the Australia Acts, 1986 of the Commonwealth and United Kingdom, and the Jurisdiction of Courts (Cross Vesting) Acts, 1987 of the Commonwealth, States and Territories.

Personal

Married, 5 adult children

Chancellor, Anglican Archdiocese of Perth

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